

REMARKS

Pursuant to the non-final Office Action mailed November 28, 2008, the Request for Continued Examination (RCE) as previously filed September 25, 2008 has been entered. Claims 1-27 have been rejected by the present Office Action. After entry of the present amendment, claims 1-27 remain pending in the application. The present amendment amends independent claims 1, 3, 5, 11, 15, 18, 20, 24, and 26 to clarify the scope of the claimed inventions. Reconsideration of the application in view of the present amendment and following remarks is respectfully requested.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-27 were rejected under 35 U.S.C. §103(a) as being obvious over Bogosian, et al. U.S. Patent No. 6,760,470 ("*Bogosian*"). The present amendment amends independent claims 1, 3, 5, 11, 15, 18, 20, 24, and 26 to clarify the scope of the claimed inventions. For example, claim 1 has been amended to include the elements "parsing from the first check identifier that has one or more entered replacement symbols at least the account number portion using the replacement symbols" and "presenting an error message to the user, if the second check identifier is not consistent with the first check identifier." (underlining supplied). Claim 1 has also been amended to clarify that the claimed invention can include "accepting a second check identifier and creating a new check record in the database, if the second check identifier is consistent with the first check identifier" and "if the account number portion of the first check identifier with the entered replacement symbols relates to a checking account record stored in the database, accepting the first check identifier as a correct entry without requesting additional entry of check identifier information from the user in a non-automated fashion." (underlining supplied). Independent claims 3, 5, 11, 15, 18, 20, 24, and 26 have been similarly amended.

Support for these amendments exists throughout the Applicants' specification. In particular, "replacement symbols are used to distinguish the various fields within the check identifier," *see* paragraph [0020], and to reduce errors in certain embodiments. In certain instances, these replacement symbols can correspond to separator symbols used in the MICR format. *See* paragraph [0046]. In an exemplary embodiment, a symbol processing module

“instructs a user to replace separator symbols on an original check identifier with replacement symbols, and parses the substitute check identifier with replacement symbols to identify the fields of the routing number, the account number and the check number.” *See* paragraph [0035]. Once the check identifier is parsed and the fields identified, the exemplary embodiment relies on a data validation module that “compares a check identifier received from the merchant 102 against records stored in the account database 128, to reduce the possibility of incorrect check identifier entries.” *See* Paragraph [0034].

This comparison can be done in a number of ways. As the specification states, one possibility is for a data validation module to use “the entered check identifier to search for account records stored in the account database 128 that have the same routing number 206 and account number 214 as the entered check identifier.” *See* paragraph [0066]. “If a record is found, the entered check identifier is accepted as a correct entry.” *See* paragraph [0067] (underlining supplied). But, should no matching record be found, then the data validation module can proceed as described in paragraphs [0068]-[0071]:

[0068] At the block 708, if no account record matches the routing number 206 and account number 214 of the entered check identifier, then the entered check identifier indicates a potential new account record. The data validation module proceeds to a block 710, and prompts the user to enter the check identifier again. . . . After the user has entered a second entry of the check identifier the data validation module determines whether the first entry matches the second entry. . . . If the two entries match, then the block 712 proceeds to the end block 716 for further processing, such as further risk analysis or authenticating the entered check identifier. . . . [But] if the two entries do not match, then the block 712 proceeds to a block 714, where the data validation module presents a warning or error message to the user. The message may be presented on the user's computer screen or over the telephone to the user. The user is informed that the two entries of the check identifier do not match, and is asked to enter the check identifier two more times. (underlining supplied)

Bogosian does not disclose or suggest the use of replacement symbols to distinguish fields within a check identifier and to reduce errors. Instead, *Bogosian* uses a checksum test to

identify from a series of digits a series of “candidate routing numbers.” *See* Col. 7, lines 19-54. Once candidate routing numbers are identified, the remaining digits are analyzed to determine whether they contain an account number and check number that can coexist with the candidate routing numbers. *See* Col. 8, lines 61-67. It does not appear that *Bogosian* uses a database to identify a valid account number, but instead, *Bogosian* appears to rely on a user to enter either one or both of an account number and a check number in addition to a MICR line. *See* Col. 5, line 56 – Col. 6, line 9. Furthermore, *Bogosian* does not appear to rely on replacement symbols or separator symbols because when a user enters the MICR line, the MICR separator symbols are ignored. *See* Fig. 3, Block 330.

For at least these reasons, each and every element of amended independent claims 1, 3, 5, 11, 15, 18, 20, 24, and 26 is neither taught nor suggested by the cited reference, and therefore the amended independent claims should be allowable over the cited reference.

Dependent claims 2, 4, 6-10, 12-14, 16-17, 19, 21-23, 25, and 27 are ultimately dependent from at least one of the amended independent claims, for which arguments of patentability have been provided above. If the underlying amended independent claims are in condition for allowance, the corresponding dependent claims should also be in condition for allowance.

CONCLUSION

It is not believed that extensions of time or fees for addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029.

Respectfully submitted,

/Christopher J. Chan/
Christopher J. Chan
Attorney for the Assignee
Reg. No. 44,070

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SUTHERLAND ASBILL & BRENNAN LLP
999 Peachtree Street NE
Atlanta, Georgia 30309-3996
Telephone: (404) 853-8049
Facsimile: (404) 853-8806
(First Data 026500US)

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